

PROCEEDINGS OF THE LAFAYETTE PUBLIC UTILITIES AUTHORITY OF THE CITY-PARISH OF LAFAYETTE, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING OF FEBRUARY 17, 2004.

ATTENDANCE

COUNCIL: Rob Stevenson (Chair), Christopher L. Williams, Ph.D., Louis C. Benjamin, Jr., Bruce Conque, Marc Mouton

ABSENT: None

COUNCIL STAFF: Norma Dugas (Clerk), Anne Patin (Senior Administrative Assistant)

ADMINISTRATIVE STAFF: Terry Huval (Utilities Director)

COMMENCEMENT

(TAPE 1)(SIDE A)(000) AGENDA ITEM NO. 1: Call to order.

Chair Rob Stevenson called the Lafayette Public Utilities Authority Meeting of February 17, 2004, to order.

EXECUTIVE/PRESIDENT'S REPORT

(TAPE 1)(SIDE A)(004) AGENDA ITEM NO. 2: President's Report.

No report.

(TAPE 1)(SIDE A)(006) AGENDA ITEM NO. 3: LUS Director's Report.

No report.

ORDINANCES FOR FINAL ADOPTION

(TAPE 1)(SIDE A)(008) AGENDA ITEM NO. 4: O-004-2004(LPUA) An ordinance of the Lafayette Public Utilities Authority authorizing the expropriation of assets and customers of Entergy in areas annexed or to be annexed by the City of Lafayette, motion to adopt by Benjamin, seconded by Conque, and the vote was as follows:

YEAS: Williams, Benjamin, Conque, Mouton, Stevenson

NAYS: None

ABSENT: None

RECUSED: None

Motion was unanimously approved.

Huval explained that this deals with an existing lawsuit against Entergy to purchase all of their customers within the City limits of Lafayette. Since the initial suit in 1998, there have been additional areas annexed into the City that include Entergy customers. Entergy has requested that LUS amend the petition in order to include those customers. O-004-2004(LPUA) deals with all Entergy customers that are annexed into the City in the future. O-005-2004(LPUA) deals with specific customers that are now in the City.

The following individuals were recognized:

Larry Duhon, resident of Badeaux Road, stated his area was incorporated approximately 13 years ago and has never received City services. As part of the City, he and his neighbors should be receiving the benefits and services as are other citizens.

Ronnie Mount, business owner in Industrial Parkway, addressed the Council concerning the numerous problems he had with Entergy including high cost and numerous power outages. Regarding the quality of water, Mount stated that the businesses have water wells, including a water softener and sand filter. Drinking water is bought. Flooding, during heavy rains, is extreme.

Upon questioning by Council, Huval explained that the cost of conversion from Entergy to LUS would be borne by LUS. The customers would only experience a pre-scheduled outage to

accommodate the switch and no additional deposit is required. Entergy opposed this change and there will be legal fees associated with this litigation. A dual approach is being taken by LUS to take care of those already annexed into the City and to take care of those annexed in the future. Williams requested copies of ordinances from other cities that have done the same thing and a synopsis of the case in Thibodaux (Thibodaux went through the same lawsuit and won).

Stanley added that the Council would be updated on the process through executive sessions.

(TAPE 1)(SIDE A)(383) AGENDA ITEM NO. 5: O-005-2004(LPUA) An ordinance of the Lafayette Public Utilities Authority authorizing the expropriation of the below referenced and described electrical distribution system, assets and/or facilities, and customers of Entergy, motion to adopt by Mouton, seconded by Conque, and the vote was as follows:

YEAS: Williams, Benjamin, Conque, Mouton, Stevenson

NAYS: None

ABSENT: None

RECUSED: None

Motion was unanimously approved.

The following individuals were recognized:

Larry Duhon urged the approval of the ordinance.

Ronnie Mount declined to speak.

(TAPE 1)(SIDE A)(411) AGENDA ITEM NO. 6: O-006-2004(LPUA) An ordinance of the Lafayette Public Utilities Authority providing for the abandonment of a portion of a utility easement on Lots 2, 3, 4 and 5 of Garden Heights Subdivision, having a municipal address of 836 Chemin Metairie, motion to adopt by Mouton, seconded by Benjamin, and the vote was as follows:

YEAS: Williams, Benjamin, Conque, Mouton, Stevenson

NAYS: None

ABSENT: None

RECUSED: None

Motion was unanimously approved.

Eleanor Bouy explained that Dr. Loftin, veterinarian, is trying to clear title to this property to expand his clinic. There is a utility easement that runs through the middle of this property. There are no utilities in the easement and he would like the easement abandoned.

The following individual was recognized:

Steve Elledge declined to speak.

(TAPE 1)(SIDE A)(452) AGENDA ITEM NO. 7: O-008-2004(LPUA) An ordinance of the Lafayette Public Utilities Authority authorizing the Lafayette City-Parish Consolidated Government and the Lafayette Utilities System to operate and maintain the sewer systems in the area generally known as Driftwood Subdivision, and to authorize all contracts necessary, incidental, convenient, or desirable to accomplish those purposes, motion to adopt by Conque, seconded by Mouton, and the vote was as follows:

YEAS: Williams, Benjamin, Conque, Mouton, Stevenson

NAYS: None

ABSENT: None

RECUSED: None

Motion was unanimously approved.

Huval explained that LUS would be maintaining the sewer collection system in Driftwood Subdivision, as well as the pumping stations and the oxidation pond, as a temporary measure. Then those customers would be transferred to the Centralized Wastewater Collection and Treatment System. These customers will pay the same sewer charge as any other in-city resident, which will be an increase from what they are paying now.

Legal Counsel Mike Hebert explained that DEQ is very cooperative in working with LUS to close these ponds according to regulations.

INTRODUCTORY ORDINANCES

(TAPE 1)(SIDE A)(667) AGENDA ITEM NO. 8 - 11: A motion was offered by Mouton, seconded by Benjamin, to approve the introduction of the following ordinances, in-globo, and the vote was as follows:

YEAS: Benjamin, Conque, Mouton, Stevenson

NAYS: None

ABSENT: Williams

RECUSED: None

Motion was unanimously approved.

8. O-009-2004(LPUA) An ordinance of the Lafayette Public Utilities Authority amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government by authorizing the adjustment of the manning tables and corresponding budgetary accounts within the Department of Utilities Power Production and Electric System Construction Divisions.
9. O-010-2004(LPUA) An ordinance of the Lafayette Public Utilities Authority rescinding Lafayette City Council Ordinance 0-6175 as amended by Lafayette Public Utilities Authority Ordinance 0-026-96 (LPUA), and all amendments thereto, in its entirety and rescinding the Lafayette City-Parish Consolidated Government Code of Ordinances, Chapter 94 “Utilities”, Article VI “Sewers and Sewage Disposal” in its entirety; replacing with new Lafayette Public Utilities Authority Ordinance No. 010-2004(LPUA) and new Lafayette City-Parish Consolidated Government Code of Ordinances, Chapter 94 “Utilities”, Article VI “Sewers and Sewage Disposal” providing for the regulation of sewers and sewage disposal within the jurisdiction of the Lafayette City-Parish Consolidated Government; and repealing all ordinances in conflict herewith.
10. O-011-2004(LPUA) An ordinance of the Lafayette Public Utilities Authority amending the FY 03/04 Capital Budget of the Lafayette City-Parish Consolidated Government to amend the Five-Year Capital Outlay Program of the Department of Utilities so as to provide for New Combustion Turbine Generation.
11. O-012-2004(LPUA) An ordinance of the Lafayette Public Utilities Authority authorizing the Lafayette City-Parish President and the Lafayette Public Utilities Authority Chairman to enter into an intergovernmental agreement with the City of Carencro to assist in the transfer of Carencro’s Wastewater Biosolids.

(TAPE 1)(SIDE A)(735) AGENDA ITEM NO. 12: Comments from the public on above introductory ordinances.

No comments.

COMMENTS FROM THE PUBLIC

(TAPE 1)(SIDE A)(738) AGENDA ITEM NO. 13: Comments from the public on other matters.

No comments.

ADJOURN

(TAPE 1)(SIDE A)(738) There being no further business to come before the LPUA, Chair Stevenson declared the Regular LPUA Meeting adjourned.

NORMA A. DUGAS, CLERK
LAFAYETTE CITY-PARISH COUNCIL